

ESTTA Tracking number: **ESTTA488648**

Filing date: **08/13/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200484
Party	Plaintiff Athletics Investment Group LLC d/b/a The Oakland Athletics Baseball Company
Correspondence Address	SETH SHAFER COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES cla@cll.com, jmn@cll.com, trademark@cll.com, rar@cll.com, sis@cll.com, mlk@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Seth Shaifer
Filer's e-mail	sis@cll.com, trademark@cll.com, kco@cll.com
Signature	/Seth Shaifer/
Date	08/13/2012
Attachments	Motion on Consent to Suspend 081312.pdf (3 pages)(20194 bytes)

In re Application Serial No. 77/926,242
Filed: February 2, 2010
For Mark: APPLES & A'S
Published in the Official Gazette: January 4, 2011

**MOTION ON CONSENT TO CONTINUE SUSPENSION OF THE PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Progress has been made toward a resolution of this matter. Since the last suspension, Applicant's counsel has provided comments on the draft agreement to Opposer's outside counsel. The additional time is requested to allow Opposer's outside counsel to revise the draft agreement, forward the revised agreement to Opposer's in-house counsel for review, and for the parties to continue to pursue settlement. If accepted, the settlement agreement would resolve this matter without the need to proceed with the opposition proceedings.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition until thirty (30) days after the suspension ends. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York
August 13, 2012

Respectfully submitted,

COWAN LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: /Seth Shaifer/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on August 13, 2012, I caused a true and correct copy of the foregoing *Motion to Continue Suspension* to be served via First Class Mail on Applicant's Correspondent and Attorney of Record, John M. Weyrauch, Esq., Dicke, Billig & Czaja, PLLC, 100 S 5th St, Ste 2250, Minneapolis, MN 55402-1235.

/Seth Shaifer/

Seth Shaifer